

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
vs.) CR No. 05-1849 JH
)
)
DANA JARVIS, et.al.,)
)
Defendant.)

**UNITED STATES' MOTION FOR ENTRY OF FINAL ORDER OF FORFEITURE
REGARDING COMPASS BANK ACCOUNT AND FIREARMS**

The United States moves this court to enter a Final Order of Forfeiture regarding all United States currency, funds, or other monetary instruments credited to Compass Bank (\$25,056.74 and \$16,523.75) Account No. 87080587 in the name of Continental Steel West Corp. and the following items:

- a. S&W Police Positive 38 Special Blue #984343;
 - b. Ruger Single-Six Revolver 22 Cal Blued #60-82674;
 - c. Charter Arms 22LR Revolver Blued Model 2223 #678546;
 - d. Ruger MK II 22LR 6-inch Barrel Auto #18-32192;
 - e. Ruger MK I 22LR 4-inch Barrel Auto 12-28823;
 - f. Ruger MK I 22LR 6-inch Barrel Auto #11-47070;
 - g. Grinder P-10 CAL 380 Auto Parkerized (no serial number);
 - h. Cobray Mac II 9MM Cal #89-0016803;
 - i. Daisy Mod 722 Air Pistol .22 Cal #J2-42820;
 - j. RWS Model 15G Air Pistol .177 Cal #590276;
 - k. Chinese SKS 7.62 Cal 180793;
 - l. Chinese SKS 7.62 Cal 710136;
 - m. Chinese Norinco MHM90 7.62 Cal #MS500847;
 - n. Ruger Mini 14 Stainless Folder 223 Cal #183-63246;
 - o. Daisy BB Gun Model 845 (no serial number);
 - p. Chinese Air Rifle .22 Cal #0311947;
 - q. "Thumper" 37 mm Flare Launcher (no serial number); and
 - r. Winchester Model 1300 Pump "Defender" #L2877309;

(Hereafter referred to as "Subject Property.")

As grounds for this motion plaintiff states as follows:

1. On April 11, 2011, this Court entered a Consent Preliminary Order of Forfeiture forfeiting all right, title and interest in the account to the United States, Doc. 1997.
2. Pursuant to the Consent Preliminary Order of Forfeiture, the United States duly published a notice of criminal forfeiture on an official government internet site at www.forfeiture.gov for at least 30 consecutive days, from April 15, 2011 through May 14, 2011 and August 2, 2011 through August 31, 2011 with respect to the Subject Property, Docs. 2026, 2063.
3. No Third Party Claims for adjudication were filed pursuant to 21 U.S.C. §853(n). Therefore, the entry of a final order of forfeiture regarding the Subject Property is proper.

WHEREFORE, the United States respectfully requests that this Court enter a Final Order of Forfeiture Regarding the Subject Property, which forfeits all right, title and interest in the Subject Property to the United States and vests title thereto in the United States.

Respectfully Submitted,

KENNETH J. GONZALES
United States Attorney

Electronically filed September 22, 2011
STEPHEN R. KOTZ
CYNTHIA L. WEISMAN
Assistant U.S. Attorneys
P.O. Box 607
Albuquerque, NM 87103
(505) 346-7274

I HEREBY CERTIFY that on September 22, 2011, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties or counsel to be served by electronic means, as more fully reflected in the Notice of Electronic Filing.

/s/

STEPHEN R. KOTZ
CYNTHIA L. WEISMAN
Assistant U.S. Attorneys